



Republic of the Philippines
Supreme Court
Office of the Court Administrator
Manila

OCA CIRCULAR NO. 110-2005

TO : ALL JUDGES AND CLERKS OF COURTS OF THE REGIONAL TRIAL COURTS, METROPOLITAN TRIAL COURTS, MUNICIPAL TRIAL COURTS IN CITIES, MUNICIPAL TRIAL COURTS AND MUNICIPAL CIRCUIT TRIAL COURTS

SUBJECT : SURVEY ON CRIME TRENDS AND OPERATIONS OF CRIMINAL JUSTICE SYSTEMS

The Division of Policy Analysis and Public Affairs of the United Nations Office on Drugs and Crime is conducting a Survey on "*Crime Trends and Operations of Criminal Justice Systems*" covering the period 2003 – 2004. In this regard, you are enjoined to submit data on the following:

I. Persons brought to criminal courts, 2003-2004

Category	2003	2004
Total persons brought before the criminal courts		
Convicted		
Acquitted		

II. Persons convicted in the criminal courts, by type of crime, 2003-2004

Type of crime	2003	2004
Total persons convicted for any type of crime ^a		
Intentional Homicide: Committed		
Attempted		
Committed with firearm		
Non-intentional homicide		
Assault: Major assault		
Total Assault		
Rape		
Robbery		
Theft: Major theft		
Total Theft		
Automobile theft		
Burglary		
Fraud		
Embezzlement		
Drug-related crime		
Bribery and/or corruption		
Kidnapping		

^a Please note that the total number of persons convicted may be greater than the sum of the figures given for the individual types of crime listed in the table.

III. Persons convicted in the criminal courts, by sex, and age group, 2003 - 2004

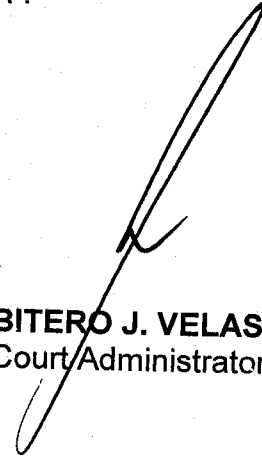
Category	2003	2004
Females		
Males		
Adults		
Female adults		
Male adults		
Juveniles		
Female juveniles		
Male juveniles		

The report shall be submitted on or before **15 November 2005**, to: "Planning Division, Court Management Office, Office of the Court Administrator.

For reference purposes, copy of the **definition of terms** provided by the United Nations is attached herewith as Annex "A".

Strict compliance is hereby enjoined.

25 October 2005



PRESBITERO J. VELASCO, JR.
Court Administrator

Annex "A"

UNITED NATIONS



NATIONS UNIES

Definition of terms

1. The definitions below are applicable to many legal codes.
2. "Intentional homicide" may be understood to mean death deliberately inflicted on a person by another person, including infanticide. Please indicate whether certain categories of attempted homicide are charged or prosecuted as "aggravated assault".
3. "Non-intentional homicide" may be understood to mean death not deliberately inflicted on a person by another person. That includes the crime of manslaughter but excludes traffic accidents that result in the death of persons.
4. "Assault" may be understood to mean physical attack against the body of another person, including battery but excluding indecent assault. Some criminal or penal codes distinguish between aggravated assault and simple assault, depending on the degree of resulting injury. If such a distinction is made in your country, please provide the relevant data for aggravated assault under the category "Major assault". Under the category "Total assault" should be included data on both aggravated assault (i.e. major assault) and simple assault. Please provide the main criterion for distinguishing between aggravated assault and simple assault if such a distinction is made in your country.
5. "Rape" may be understood to mean sexual intercourse without valid consent. Please indicate whether statutory rape is included in the data provided. If, in your country, a distinction is made between sexual assault and actual penetration, please provide relevant information.
6. "Robbery" may be understood to mean the theft of property from a person, overcoming resistance by force or threat of force.
7. "Theft" may be understood to mean the removal of property without the property owner's consent. "Theft" excludes burglary and housebreaking as well as theft of a motor vehicle. Some criminal and penal codes distinguish between grand and petty theft, depending on the value of the goods and property taken from their rightful owner. If such a distinction is made in your country, please provide the relevant data for grand theft under the category "Major theft". The category "Total theft" should include data on both grand theft (i.e. major theft) and petty theft. Please provide the main criterion for distinguishing between grand theft and petty theft if such a distinction is made in your country.
8. "Automobile theft" may be understood to mean the removal of a motor vehicle without the consent of the owner of the vehicle.
9. "Burglary" may be understood to mean unlawful entry into someone else's premises with the intention to commit a crime.
10. "Fraud" may be understood to mean the acquisition of another person's property by deception. Please indicate whether the fraudulent obtaining of financial property is included in the data provided.
11. "Embezzlement" may be understood to mean the wrongful appropriation of another person's property that is already in the possession of the person doing the appropriating.
12. "Drug-related crimes" may be understood to mean intentional acts that involve the cultivation, production, manufacture, extraction, preparation, offering for sale, distribution, purchase, sale, delivery on any terms whatsoever, brokerage, dispatch, dispatch in transit, transport, importation and exportation of internationally controlled drugs. Where applicable, reference may be made to the provisions of the Single Convention on Narcotic Drugs of 1961¹ and other regulations adopted in pursuance of the provisions of the Convention on Psychotropic Substances of 1971² and/or the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988³.

¹ United Nations. *Treaty Series*, vol. 520, No. 7515.

² *Ibid.*, vol. 1019, No. 14956.

³ *Official Records of the United Nations Conference for the Adoption of a Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances*, Vienna, 25 November-20 December 1988, vol. I (United Nations publication, Sales No. E.94.XI.5).



13. "Bribery and/or corruption" may be understood to mean requesting and/or accepting material or personal benefits, or the promise thereof, in connection with the performance of a public function for an action that may or may not be a violation of law and/or promising as well as giving material or personal benefits to a public officer in exchange for a requested favor.
14. "*Kidnapping*" may be understood to mean unlawfully detaining a person or persons against their will (or national equivalent e.g. using force, threat, fraud or enticement) for the purpose of demanding for their liberation an illicit gain or any other economic gain or other material benefit, or in order to oblige someone to do or not to do something.
15. "Persons convicted" may be understood to mean persons found guilty by any legal body duly authorized to pronounce them convicted under national law, whether the conviction was later upheld or not. If persons are convicted by any agency other than the courts, please state which agency and provide statistical details in the space provided after tables 10 and 11. In those tables the total number of persons convicted includes the number convicted of serious special law offences but excludes the number convicted of minor road traffic offences and other petty offences.
16. "Professional judges or magistrates" may be understood to mean both full-time and part-time officials authorized to hear civil, criminal and other cases, including in appeal courts, and make dispositions in a court of law. Please include in that category associate judges and magistrates, who may be authorized as above.
17. "Lay judges or magistrates" may be understood to mean persons who perform the same functions as professional judges or magistrates but who do not regard themselves, and are not normally regarded by others, as career members of the judiciary. Data concerning support staff (secretaries, clerks etc.) should be excluded.
18. If the categories given in paragraphs 2-14 above are not fully compatible with the legal code in your country, please try to adjust the data as far as possible. Alternatively, you may indicate below the table concerned or on the facing page what kinds of crime are included in your statistics that might be comparable to the categories suggested or how the comparable types of crime are defined in your country.